

10
United States District Court
Southern District of Texas
FILED

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

MAY - 4 2022

Nathan Ochsner, Clerk

UNITED STATES OF AMERICA

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§

CRIMINAL NO.

M-22-721

v.

MIGUEL A. GARZA

aka "MIKE GARZA"

UNDER SEAL

INDICTMENT

THE GRAND JURY CHARGES:

GENERAL ALLEGATIONS

At all times material to this Indictment:

1. The City of Edinburg, Texas received benefits in excess of \$10,000 for each of the calendar years of 2019 and 2020 under Federal programs involving grants, contracts, subsidies, loans, guarantees, insurance, and other forms of federal assistance.

2. Public Official A was an elected official for the City of Edinburg, Texas.

3. Public Official B was an elected official for the City of Edinburg, Texas.

4. Person 1 owned a business that operated in Edinburg, Texas and the surrounding area. Person 1 attempted to obtain contracts and work agreements with the City of Edinburg for this business, and to maintain any existing contracts and work agreements that existed between the City of Edinburg, Texas and this business.

5. Public Official A and Public Official B were in positions with the City of Edinburg, Texas where each could vote on whether the City of Edinburg, Texas would award contracts and work agreements to Person 1's business, or end or otherwise modify any existing contract or work agreement that already existed, either in writing or otherwise, between the City of Edinburg, Texas and Person 1's business.

COUNT ONE
(Federal Program Bribery)

6. Paragraphs 1 through 5 of this Indictment are re-alleged as if fully set forth herein.

7. From on or about June 1, 2019, to on or about March 1, 2020, in the Southern District of Texas and elsewhere within the jurisdiction of the Court, defendant,

MIGUEL A. GARZA aka "MIKE GARZA,"

did knowingly, and corruptly aid and abet Public Official A and Public Official B to solicit and demand for their own benefit and the benefit of others, and accepted and agreed to accept something of value, that is, United States currency from Person 1, intending to be influenced and rewarded in connection with a business, transaction, and series of transactions with the City of Edinburg valued at \$5,000 or more, that is, a vote and series of votes by Public Official A and Public Official B on a contract being awarded to a business controlled by Person 1, and during that same one-year period the City of Edinburg received benefits in excess of \$10,000 under Federal programs involving a grant, contract, subsidy, loan, guarantee, insurance, and other form of Federal assistance.

In violation of Title 18, United States Code, Sections 666(a)(1)(B) and 2.

COUNT TWO
(Interstate Travel in Aid of Racketeering)

8. Paragraphs 1 through 5 of this Indictment are re-alleged as if fully set forth herein.

9. From on or about June 1, 2019, to on or about March 1, 2020, in the Southern District of Texas and elsewhere within the jurisdiction of the Court, defendant,

MIGUEL A. GARZA aka "MIKE GARZA,"

did knowingly use and cause to be used a facility in interstate and foreign commerce, namely a mobile telephone and wire and electronic communications, with the intent to promote, manage,

establish, carry on, and facilitate the promotion, management, establishment, and carrying on of an unlawful activity, namely, bribery, contrary to Texas Penal Code § 36.02, and thereafter performed and attempted to perform an act to promote, manage, establish and carry on, and to facilitate the promotion, management, establishment and carrying on of the above unlawful activity.

In violation of Title 18, United States Code, Sections 1952(a)(3) and 2.

NOTICE OF CRIMINAL FORFEITURE
18 U.S.C. § 982(a)(3)

10. Pursuant to Title 18, United States Code, Section 982(a)(3), the United States gives notice to the defendant,

MIGUEL A. GARZA aka "MIKE GARZA,"

that upon conviction of an offense in violation of Title 18, United States Code, Section 666(a)(1)(B), as charged in Count One of this Indictment, all property, real or personal, which represents or is traceable to the gross receipts obtained, directly or indirectly, as a result of such offense, is subject to forfeiture.

NOTICE OF CRIMINAL FORFEITURE
18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c)

11. Pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), the United States gives notice to the defendant,

MIGUEL A. GARZA aka "MIKE GARZA,"

that upon conviction of an offense in violation of Title 18, United States Code, Section 1952, as charged in Count Two of this Indictment, all property, real or personal, which constitutes or is derived from proceeds traceable to such offense, is subject to forfeiture.

PROPERTY SUBJECT TO FORFEITURE

12. The property subject to forfeiture includes, but is not limited to, the following:
Approximately Forty-Seven Thousand, Two Hundred and Thirty-Five Dollars (\$47,235.00) in
United States currency.

MONEY JUDGMENT

13. In the event of conviction, the United States may seek a money judgment.

SUBSTITUTE ASSETS

14. In the event that a condition listed in Title 21, United States Code, Section 853
exists, the United States will seek to forfeit any other property of the defendant in substitution up
to the total value of the property subject to forfeiture

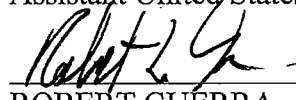
A TRUE BILL:

FOREPERSON OF THE GRAND JURY

JENNIFER B. LOWERY
UNITED STATES ATTORNEY



ARTHUR R. JONES
Assistant United States Attorney



ROBERT GUERRA
Assistant United States Attorney